Improving the LUST Cleanup Process in California

LUST Case Portfolio Reviews
 Implemented within a Partnership Between the California State Water Board and US EPA Region 9

Presented by:
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Regional Program Manager
US EPA Region 9 (San Francisco)
Current Partnership Projects

• Guidance Development – Revised LUFT Manual
• GeoTracker Data Cleanup
• Government USTs

• **LUST Case Portfolio Reviews**
  – Cleanup Fund Cases – “5 Year Reviews”
  – Non-Cleanup Fund Cases – “Non-CUF Reviews”
Nature of the Partnership

• In-Kind Projects Developed as Part of Cooperative Agreements
• Contract Work Assignments and Interagency Agreement Established with the US Army Corps of Engineers to Benefit the State Water Board
• Joint EPA / State Board Management of In-Kind Resources
• Projects Negotiated as Part of Grant Workplan Negotiations
Over 100 Agencies Independently Manage All of California’s LUST Cases

- Nine (9) Regional Water Quality Control Boards (RWQCB)
- 22 Local Oversight Programs (LOP)
- ~ 90 Local Implementing Agencies (LIA)

Active LUST Caseload by Agency Type - End of Q3-10

- LIA LEAD 12%
- RWQCB LEAD 46%
- LOP LEAD 42%
California Open Cases as of Sept. 2010

<table>
<thead>
<tr>
<th>In the Cleanup Fund</th>
<th>Not in Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Open Cases = 5,280</td>
<td>Number of Open Cases = 3,687</td>
</tr>
<tr>
<td>Average Age of Open Case ~ 17 yrs.</td>
<td>Average Age of Open Case ~ 12 yrs.</td>
</tr>
<tr>
<td>Cases over 15 Years Old = 64.73%</td>
<td>Percentage over 15 Years Old ~ 30%</td>
</tr>
<tr>
<td>Cases Reviewed in FY09-10 = 1428</td>
<td>Number of Cases Reviewed (older than 15 years) = 640</td>
</tr>
</tbody>
</table>

**Reasons Why Cases Are Not Covered by the Fund**
- Government Facility
- Facility Not Permitted / Other Compliance Problem
- Exempt Facility
- Have Not Applied to Fund
Purpose - Cleanup Fund 5-Year Reviews

• Cost Control – Fund Spending Rate Exceeded Revenues
• As a Check on Regulatory Agencies Oversight
• Gather Data to help Identify Areas in need of Possible Policy Changes
• Identify Cases for State Board Closures
• Evaluate Claims for Fund Fraud
Methodology for Fund 5-Year Reviews

- In Depth Case Analysis
- Use of GeoTracker and State Fund Case Files
- Evaluation of Technical Aspects of Case
  - Evaluation of the Quality of the Site Assessment
  - Evaluation of the Effectiveness of the Remedial Measures In Use
  - Evaluation of the Costs
- Detailed Technical Letter Report on Each Case
- 12 – 20 Hours per Case Level of Effort
Big Picture Results of 5-Year Review

- During FY 2009-10 the Cleanup Fund staff reviewed 1,428 claims.

<table>
<thead>
<tr>
<th>5-Year Review Results</th>
<th>Cases FY09-10</th>
<th>% of Total FY09-10 Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Cases Reviewed in FY09-10</td>
<td>1,428</td>
<td>100</td>
</tr>
<tr>
<td>Concurred with Current Corrective Action</td>
<td>440</td>
<td>30.81</td>
</tr>
<tr>
<td>Recommended Additional Corrective Action</td>
<td>521</td>
<td>36.48</td>
</tr>
<tr>
<td>Recommended Case Closure</td>
<td>420</td>
<td>29.41</td>
</tr>
<tr>
<td>Case Closed Subsequent to 5-Year Review</td>
<td>158</td>
<td>11.06</td>
</tr>
<tr>
<td>Cases Closed by State Board</td>
<td>9</td>
<td>0.63</td>
</tr>
</tbody>
</table>

**FY 2009-2010 5-Year Review Recommendations**

- 36.48%
- 30.81%
- 29.41%
- 11.06%
- 0.63%
Non-CUF Reviews – Each Report Covers Separate Agency
## CA Non-CUF Case Reviews

<table>
<thead>
<tr>
<th>County</th>
<th>LOP Date</th>
<th>Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>San Diego County LOP</td>
<td>05/27/2010</td>
<td>57</td>
</tr>
<tr>
<td>San Francisco County LOP</td>
<td>9/10/2010</td>
<td></td>
</tr>
<tr>
<td>San Joaquin County LOP</td>
<td>8/3/2010</td>
<td>13</td>
</tr>
<tr>
<td>San Mateo County LOP</td>
<td>6/25/2010</td>
<td>28</td>
</tr>
<tr>
<td>Santa Barbara County LOP</td>
<td>06/11/2010</td>
<td>33</td>
</tr>
<tr>
<td>Solano County LOP</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Sonoma County LOP</td>
<td>9/3/2010</td>
<td>11</td>
</tr>
<tr>
<td>Stanislaus County LOP</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Tulare County LOP</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Ventura County LOP</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Totals for LOPs</td>
<td></td>
<td>271</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Region</th>
<th>LOP Date</th>
<th>Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>North Coast RWQCB (R1)</td>
<td>05/21/2010</td>
<td>78</td>
</tr>
<tr>
<td>San Francisco Bay RWQCB (R2)</td>
<td>03/31/2010</td>
<td>56</td>
</tr>
<tr>
<td>Central Coast RWQCB (R3)</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Los Angeles RWQCB(R4)</td>
<td>9/3/2010</td>
<td>143</td>
</tr>
<tr>
<td>Central Valley RWQCB (R5-R)</td>
<td>TtEMI</td>
<td></td>
</tr>
<tr>
<td>Central Valley RWQCB (R5-S)</td>
<td>TtEMI</td>
<td></td>
</tr>
<tr>
<td>Central Valley RWQCB (R5-F)</td>
<td>TtEMI</td>
<td></td>
</tr>
<tr>
<td>Lahontan RWQCB (R6-SLT)</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Lahontan RWQCB (R6-V)</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Colorado River Basin RWQCB (R7)</td>
<td>6/18/10</td>
<td>11</td>
</tr>
<tr>
<td>Santa Ana RWQCB (R8)</td>
<td>06/11/2010</td>
<td>49</td>
</tr>
<tr>
<td>San Diego RWQCB (R9)</td>
<td>05/26/2010</td>
<td>5</td>
</tr>
<tr>
<td>Totals for RWQCBs</td>
<td></td>
<td>342</td>
</tr>
</tbody>
</table>

**TOTAL CASES REVIEWED**: 613
In 2010 California Total Number of Open Leaking UST = 9,143

Cases in Cleanup Fund = 5,356 (60%)
Cases NOT in Cleanup Fund = 3,787 (40%)

Regional Water Quality Control Board
Total Open = 3,957 (43%)
61% in CUF and 39% NOT in CUF

Local Oversight Programs
Total Open = 4,000 (44%)
67% in CUF and 33% NOT in CUF

Local Implementing Agency
Total Open = 1,186 (13%)
23% in CUF and 77% NOT in CUF

NOT IN CUF CASES = 3,787 cases
Less than 15-years = 2,330 cases (62%)
Older than 15-yeas = 1,340 cases (35%)
Unknown age of case = 117 cases (3%)
CALIFORNIA LEAKING UNDERGROUND STORAGE TANK
NON-CLEANUP FUND OLDER (>15-YEARS) CASES

All Open UST Cases in GeoTracker → CUF SITES

CUF SITES

NON-CUF SITES
QUERY CONDITIONS
• Non CUF
• Old (>15 yrs old),
• Lead agency deemed “Not ready for closure”

Review cases based on data in GeoTracker → PowerPoint And Case Summary/Analysis Report
### AGENCY GROUP: TOTAL CASES REVIEWED

<table>
<thead>
<tr>
<th>AGENCY GROUP</th>
<th>Total Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>REGIONAL WATER QUALITY CONTROL BOARD (RWQCB)</td>
<td>555 Cases</td>
</tr>
<tr>
<td>LOCAL OVERSIGHT PROGRAMS (LOP)</td>
<td>378 Cases</td>
</tr>
<tr>
<td>LOCAL IMPLEMENTING AGENCY (LIA)</td>
<td>xx Cases</td>
</tr>
</tbody>
</table>

#### REGIONAL WATER QUALITY CONTROL BOARD (RWQCB)
- **TOTAL = 555 CASES**
- **REGION 1 = 77 CASES**
- **REGION 2 = 76 CASES**
- **REGION 3 = 31 CASES**
- **REGION 4 = 145 CASES**
- **REGION 5F = 70 CASES**
- **REGION 5R = 10 CASES**
- **REGION 5S = 48 CASES**
- **REGION 6T&V = 30 CASES**
- **REGION 7 = 13 CASES**
- **REGION 8 = 52 CASES**
- **REGION 9 = 3 CASES**

#### LOCAL OVERSIGHT PROGRAMS (LOP)
- **ALAMEDA = 107 CASES**
- **EL DORADO = 2 CASES**
- **HUMBOLDT = 12 CASES**
- **KERN = 6 CASES**
- **NEVADA = 2 CASES**
- **ORANGE = 13 CASES**
- **RIVERSIDE = 3 CASES**
- **SACRAMENTO = 18 CASES**
- **SAN BERNARDINO = 3 CASES**
- **SAN DIEGO = 58 CASES**
- **SAN FRANCISCO = 23 CASES**
- **SAN JOAQUIN = 13 CASES**
- **SAN MATEO = 29 CASES**
- **SANTA BARBARA = 19 CASES**
- **SANTA CLARA = 36 CASES**
- **SOLANO = 7 CASES**
- **SONOMA = 11 CASES**
- **STANISLAUS = 6 CASES**
- **TULARE = 12 CASES**

#### LOCAL IMPLEMENTING AGENCY (LIA)
- **TOTAL = xx CASES**
- **CITY OF LOS ANGELES = 125**
- **LOS ANGELES COUNTY = 60**
- **CITY OF LONG BEACH = 15**
Non-CUF Review Methodology

• Data Source – Exclusively GeoTracker and Google Street View / Aerial Photo
• Scope of Review – Cursory, Designed to Roughly Evaluate Case Status
• Level of Effort Per Case – Less Than 2 Hours
Non-CUF Reviews - Objective

- Evaluate Barriers to Cleanup Progress
- Evaluate Future Demand on State Fund
- Investigate Accuracy of GeoTracker Data
- Evaluate Agency Closure Review Data in GeoTracker
- Seek Opportunities for Directing Resources and Making Program Improvements
Definitions

**Stuck Site** – No Substantial Assessment or Cleanup Activities in the Last Several Years

**Site Not on Track** – Recent Assessment or Cleanup Activities, But On-Going Work Not Likely to Result in Cleanup Completion / Site Closure

**Site on Track** – Assessment and Cleanup Activities Appear to Be Moving Case to Cleanup Complete / Site Closure

**Appears Ready to Close** – Data and Reports Indicate Case Will or Could Be Closed Shortly

**Data Not Available** – Insufficient Data in Geotracker
General Categories of Cases – Non-CUF Reviews
Non-CUF

- F - Farm/Agriculture
- ▲ - Government Entity (includes School, Hospital, Utility)
- ★ - Industry (Railroad, Steel etc)
- ● - Small Private Business
- ? - Unknown
- ♦ - Major Oil Company
  - Orange: Appears NOT to be on track
  - Green: Appears close to completion
  - Yellow: Appears near completion within 1-year
  - Red: Appears to be stuck
  - Gray: Unable to determine (Insufficient information in GeoTracker)
SANTA ANA RWQCB (REGION 9) OPEN LEAKING UST: NON-CUF, OLDER (OPEN>15 YEARS), AND DEEMED “NOT READY FOR CLOSURE – FINAL” CASES IN GEOFTRACKER (DATA IN GEOFTRACKER, JUNE 2010)

SUMMARY OF CASE REVIEW
TOTAL NUMBER OF CASES REVIEWED = 49
NUMBER OF ACTIVE LUST CASE ON JUNE 1, 2010 = 796 CASES

1) APPARENT STATUS OF CASES REVIEWED

![Region 8: Estimated Status in the Cleanup Pipeline](image)

- Appears to be stuck: 45%
- Appears not to be on track: 16%
- Appears to be on track: 10%
- Appears near completion within 1-year: 21%
- Appears close to completion: 6%
- Unable to determine (no information in GT): 2%
2) RESPONSIBLE PARTY TYPES

REGION 8: APPARENT TYPES OF RESPONSIBLE PARTY

<table>
<thead>
<tr>
<th>Type</th>
<th>Num of Case</th>
<th>% of Case Reviewed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Small Business</td>
<td>21</td>
<td>43%</td>
</tr>
<tr>
<td>Government</td>
<td>7</td>
<td>14%</td>
</tr>
<tr>
<td>Industry</td>
<td>9</td>
<td>18%</td>
</tr>
<tr>
<td>Major Oil</td>
<td>9</td>
<td>18%</td>
</tr>
<tr>
<td>Farm/Other</td>
<td>1</td>
<td>2%</td>
</tr>
<tr>
<td>Unknown</td>
<td>2</td>
<td>4%</td>
</tr>
</tbody>
</table>

3) APPARENT MAIN BARRIERS (ENVIRONMENTAL AND NON-ENVIRONMENTAL) TO CLOSURE

<table>
<thead>
<tr>
<th>Rank</th>
<th>Environmental</th>
<th>Num of Case</th>
<th>% of Case Reviewed</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Incomplete Assessment</td>
<td>21</td>
<td>43%</td>
</tr>
<tr>
<td>2</td>
<td>Remedial Confirmation</td>
<td>14</td>
<td>29%</td>
</tr>
<tr>
<td>3</td>
<td>Other</td>
<td>11</td>
<td>22%</td>
</tr>
<tr>
<td>4</td>
<td>Nearby Well/Other Receptors</td>
<td>2</td>
<td>4%</td>
</tr>
<tr>
<td>5</td>
<td>CA Policy (Water Quality Objectives Not Met)</td>
<td>1</td>
<td>2%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Rank</th>
<th>Non-Environmental</th>
<th>Num of Case</th>
<th>% of Case Reviewed</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Unknown</td>
<td>15</td>
<td>31%</td>
</tr>
<tr>
<td>2</td>
<td>Other</td>
<td>9</td>
<td>18%</td>
</tr>
<tr>
<td>3</td>
<td>None</td>
<td>8</td>
<td>16%</td>
</tr>
<tr>
<td>4</td>
<td>No Data in Geotracker</td>
<td>7</td>
<td>14%</td>
</tr>
<tr>
<td>5</td>
<td>Non-Responsive RP</td>
<td>7</td>
<td>14%</td>
</tr>
<tr>
<td>6</td>
<td>Financial Hardship</td>
<td>3</td>
<td>6%</td>
</tr>
</tbody>
</table>
Age Distribution of Santa Ana Regional Board (Region 8) Cases Over 15 Years Old

6) AGE OF CASES

REGION 8: DISTRIBUTION OF AGE OF CASES REVIEWED

- 15-19 YEARS: 16 (33%)
- 20-25 YEARS: 32 (65%)
- >25 YEARS: 1 (2%)
SANTA ANA TOWER F.A.A. (T0605900442)
18990 IKE JONES RD., SANTA ANA, CA 92707

Case Age: 23 years
Primary COC: Heating Oil / Fuel Oil
RP Identified: “Blank RP”
Potential Media Affected: Aquifer used for drinking water supply
Current Land Use: Airport Control Tower

Possible Reasons Why This Case Is So Old
- Limited oversight and RP involvement until recent years
- No report/documents uploaded to GeoTracker

<table>
<thead>
<tr>
<th>ACTIVITY TYPE</th>
<th>ACTION</th>
<th>ACTION DATE</th>
<th>RECEIVED / ISSUE DATE</th>
<th>ACTION DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>OTHER REGULATORY ACTIONS</td>
<td>Technical Correspondence / Assistance / Other</td>
<td>6/2/2010</td>
<td>8/2/2010</td>
<td>Review Submittal from airport staff regarding administrative closure.</td>
</tr>
<tr>
<td>OTHER REGULATORY ACTIONS</td>
<td>Technical Correspondence / Assistance / Other</td>
<td>6/11/2009</td>
<td>6/11/2009</td>
<td>communication with airport personnel</td>
</tr>
<tr>
<td>OTHER REGULATORY ACTIONS</td>
<td>File review</td>
<td>12/12/2008</td>
<td>12/12/2008</td>
<td>John Wayne Airport closure evaluation</td>
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<tr>
<td>OTHER REGULATORY ACTIONS</td>
<td>Site Visit / Inspection / Sampling</td>
<td>5/12/2008</td>
<td>5/12/2008</td>
<td>Site Meeting</td>
</tr>
<tr>
<td>LEAK ACTION</td>
<td>Leak Reported</td>
<td>4/6/1987</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

NOTE: Data queried from GeoTracker and reviewed in June 2010
<table>
<thead>
<tr>
<th>Assessment last 5 years</th>
<th>Remediation last 5 years</th>
</tr>
</thead>
<tbody>
<tr>
<td>• NONE DOCUMENTED</td>
<td>• NONE DOCUMENTED</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Assessment older than 5 years</th>
<th>Remediation older than 5 years</th>
</tr>
</thead>
<tbody>
<tr>
<td>• NONE DOCUMENTED</td>
<td>• NONE DOCUMENTED</td>
</tr>
</tbody>
</table>
Review Conclusions T0605900442

- Review indicates:
  - No reports/documents in Geotracker.
  - One letter from RB in GeoTacker pertaining to Resolution 2009-0042 → reduction in GW sampling frequency
  - Activities Report indicates “Closure Evaluation” in 2008 and “Review Submittal from Airport Staff regarding administrative closure” in March 2010

- Discussion:
  - RP and Geotracker compliance
  - Reason for no recent cleanup activity, Government entity site.
  - May not be a Federally defined LUST case
  - Steps to attain cleanup closure

- Unable to determine closure status
Agencies Required to Report on Impediments to Closure Last Year - Non-CUF Review

**IMPEDIMENTS TO CLOSURE**

(T0605900442)

as reported by regulatory agency

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**CLOSURE REVIEW - THIS CASE IS NOT READY FOR CLOSURE AS OF 11/10/2009**

**IMPEDIMENTS TO CLOSURE**

- **SITE ASSESSMENT INCOMPLETE**
  - Extent of Contamination Has Not Been Determined - Additional assessment is required.

**BENEFITS OF ADDITIONAL WORK**

- Fill-in RI Data Gaps - Complete investigation and determine if cleanup is required.
- Other - Comply with CAO.

**SENSITIVE RECEPTORS LIKELY TO BE IMPACTED AND TIME FRAME FOR IMPACT**

<table>
<thead>
<tr>
<th>SENSITIVE RECEPTOR</th>
<th>TIME FRAME FOR IMPACT</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Groundwater</td>
<td>Already Impacted</td>
<td>Part of larger Airport plume.</td>
</tr>
</tbody>
</table>

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**DRAFT**
CALIFORNIA REHAB CENTER (T0606500007)
5th STREET, NORCO, CA 91760

Case Age: 23 years
RP Identified by Regulator: CA State Corrections Dept.
Primary COC: MTBE, benzene, PCE and TCE
Potential Media Affected: Aquifer used for drinking water supply
Current Land Use: Prison or related

Possible Reasons Why This Case Is So Old
• No cleanup has occurred despite initial MTBE and benzene concentrations (June 2006) in GW of 28,000 ppb and 530 ppb, respectively
• Apparent 8 year period of no activity in the most contaminated area (Maintenance Garage)
• 370 ppb PCE detected on 5/7/09 (unknown source)

NOTE: Data queried from GeoTracker and reviewed in June 2010
Activities Conducted to Date Based on GeoTracker Info
T06065000007

Assessment last 5 years
- 2006: Combined site assessment of both the Maintenance Garage and Power Plant areas.
- 2006-2009: Quarterly GWM (possibly) at the 5 MWs in the Maintenance Garage area, and 3 MWs in the Power Plant area.

Remediation last 5 years
- None

Assessment older than 5 years
- 1989 and 1990: Site assessments in the Power Plant area (16 total borings drilled and two MWs installed, but one MW abandoned).
- Unstated initial frequency of sampling the MWs in the Power Plant area.
- 1998: Site assessment in the Maintenance Garage area (six soil samples collected and analyzed).

Remediation older than 5 years
- 1988: Four heating oil USTs/piping removed in the Power Plant area.
- 1998: One gas and one diesel UST removed in the Maintenance Garage area.
IMPEDEMENTS TO CLOSURE T0606500007
as reported by regulatory agency

CLOSURE REVIEW - THIS CASE IS NOT READY FOR CLOSURE AS OF 9/1/2009

IMPEDEMENTS TO CLOSURE

SITE ASSESSMENT INCOMPLETE

- Additional subsurface investigation was conducted to more accurately define the vertical and horizontal extent of the groundwater contamination beneath the site.

GROUNDWATER IMPACTS

- Groundwater Impacted Above Other Cleanup Goal - The concentration of MDBE in June 2006 was 28,000 ppb. In December 2006, the concentration was 14,000 ppb. The most current monitoring report analyzed in March 2007 showed MDBE concentration of 3,700 ppb.

BENEFITS OF ADDITIONAL WORK

- Restore Beneficial Uses - Subsurface investigation was conducted to more accurately define the vertical and horizontal extent of the groundwater contamination beneath the site.

SENSITIVE RECEPTORS LIKELY TO BE IMPACTED AND TIME FRAME FOR IMPACT

<table>
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<th>TIME FRAME FOR IMPACT</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Groundwater</td>
<td>Already Impacted</td>
<td>Groundwater already impacted.</td>
</tr>
</tbody>
</table>

GROUNDWATER MONITORING FREQUENCY

# OF WELLS MONITORED - QUARTERLY: 4, SEMI-ANNUALLY: 4

REASONS FOR QUARTERLY OR MONTHLY OR OTHER GROUNDWATER MONITORING:

- Assessment Incomplete - Section of the site is currently being investigated

DRAFT
Review Conclusions  T0606500007

• Review indicates:
  – MTBE in GW has declined from 28,000-ppb in June 2006 to 490-ppb in May 2009
  – Benzene has declined from 530-ppb to 1-ppb (May 2009)
  – PCE and TCE concentrations were up to 370-ppb and 10-ppb (sources unknown)
  – MTBE plume appears to remain relatively constant (based on the low concentrations in the down-gradient well 50-ft away)
  – The main contamination appears to be limited to the Maintenance Garage area

• Discussion:
  – Declining MTBE and benzene concentrations, and likely plume shrinkage
  – Elevated PCE and TCE, but not part of LUST
  – Cleanup closure timeline

• Potential closure candidate consideration
Benefits of a Portfolio Review

• Greater Detail on Impediments to Closure
• Better Understanding of Challenges Facing Regulatory Agency
• Opportunity to Cleanup Data and Close Cases that Should No Longer Be Open
• Better Understanding of Policies and Procedures
Reactions to Portfolio Reviews
Non-CUF Reviews – Lessons Learned

• Process Barriers are usually Greater Than Technical Barriers
  – Access to Funding the Biggest Issue
• Sites with Willing RPs Get More Attention
• Government Sites Pose Greater Challenges to Get Moving in the Process
• Enforcement Is Very Limited
• Cases Lag Due to Lack of Aggressive Oversight
TIER 1 – Divide Cases & Initial Review

Main question: “**Why are these cases so old?**”

What have we learned so far?

- Excessive assessment without remediation
- RP financial hardship or dispute responsibility
- Cases transferred between agencies
- Off-site access issues
- Commingled plume
- Multiple releases over different periods
- Uncertain date of release
- Missing historical information
- GWM wells cannot be located/dry after non-use over time
- Regulatory agency lack responses to RP
- Excessive requirement of GW clean up levels
- Transfer between agencies (mostly from LIAs)
Non-CUF: Asking for Response From Regulators

• Follow-Up Requested on Draft Report

• Plan to Track Progress and Status Change of Facilities Evaluated as Part of the Non-CUF Review
California Case Closure Rates Have Increased

California has increased the percentage of closed cases by over 3% since 2007:
2007—7.4%
2008—8.0%
2009—9.5%
2010—10.8%

Source: Data from GeoTracker USEPA Report captured on 07/23/2010